

Twenty Key Issues for Building a Better Lebanon

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Lebanon is at a historic and critical crossroads, filled with dangers and opportunities. The withdrawal of Syrian forces has brought back the opportunity to regain full sovereignty and independence and to rebuild Lebanese politics on new grounds. The emotional outpouring that followed the tragic assassination of former Prime Minister Rafiq Hariri has forged new bonds of national unity and identity. The rapid political changes have also opened discussions on issues and challenges that have lain dormant for too long. On the other hand, the confrontation between the US and Syria carries many dangers including the danger of replacing one external influence with another. In addition, the assassination of Hariri has left a gaping void in our national political leadership and has dealt a strong blow to the course of rebuilding and re-launching postwar Lebanon.

Despite the many divisions that we see today, the Lebanese today have more in common than perhaps ever before. All parties accept the withdrawal of Syrian forces from Lebanon, although they disagree as to whether this should be linked to UN Security Council Resolution 1559 or the Taif Agreement. They all agree that Syrian domination should not be replaced by any other form of external domination, whether it is European or American or otherwise. They all agree that Lebanon should maintain and rebuild special relations with Syria based on the best interests of both countries. They all agree that we should arrive at the complete truth regarding the assassination of former Prime Minister Hariri, Deputy Basil Fuleihan, and their companions, and the attempted assassination of Deputy Marwan Hamadeh. They all agree that we should proceed to Parliamentary elections as soon as possible.

We are coming up to a dramatic change in power in Lebanon, both internally and externally. What is currently calling itself the opposition, will probably form the next authority. Thirty years of Syrian domination is ending and Lebanon is enjoying an unprecedented and unlikely-to-be-repeated amount of Arab and international attention and support. The leader who was the Prime Minister of Lebanon for most of the postwar period, and who carried the main engine and project of postwar Lebanon, is now gone. Whether one agreed with all aspects of Hariri's work or disagreed with parts of it, he did have a plan, and he had the vision, energy and power to push ahead with implementing it. His martyrdom brought Lebanese together like never before. It underlined the enormity of his role and the size of his loss, but what we see today is much political activity but very little of the long-term vision and will that Hariri exhibited. We owe it to our people and to his memory, to pull together and to think deeply and seriously about the vision and programs we need to achieve in this new phase of our history.

Ideally, this should be the subject of a positive national dialogue involving all key political players as well as members of civil society. We should be sitting down together to discuss what issues will need our attention in the months and years to come. There is the danger that the loose coalition today called the opposition will soon reach power in parliament and the executive branch, but that it will lack a unifying and mobilizing agenda, and will fall back into

division and politics as usual, and Lebanon would have lost a historic opportunity for progress and change.

I propose below some issues that I believe should be part of such a national agenda for reform and action. Several of these issues are elements of the Taif agreement that were never fully implemented; others, are elements that are not strictly part of Taif but are a necessity for building a more successful Lebanon.

1. the first order of business is consolidating the sovereignty and independence of the Lebanese state after 15 years of war and 15 years of external influence. This is not a simple or easy task but involves consolidating the Lebanese army and ensuring its authoritative deployment throughout the country. It also involves retraining the internal security forces, and, most importantly, restructuring the intelligence and security agencies and bringing them under the full control of the political authority. Lebanon's strength was never in its weakness, and we paid a heavy price for past mistakes. The Lebanese state must be a strong state able to protect its borders and able to ensure full security within them.
2. a second general goal is the consolidation of freedoms and the rule of law in the country through renewed respect for individual rights, freedom from arbitrary arrest and prosecution, and respect for the freedoms of the press, association, assembly, demonstration, and political expression. Lebanon was a primary author of the universal declaration of human rights; its *raison d'être* in the Arab world is as a haven for freedom, justice and human rights. This must be reinforced.
3. a third goal is the consolidation of democracy. As we have seen in the past months, democracy is not a dream or a luxury, and one ignores it at one's peril. Democracy is based ultimately on respect for the will and the authority of the people. It is they that elect a Parliament, and through the Parliament, a President, Prime Minister and Council of Ministers. They are the original and ultimate arbiter in all matters. Lebanon had distinguished itself during much of the 20th century among its Arab neighbors in having and preserving a democratic political system. But we fell prey to internal divisions in the 1970s and 1980s and then to outside control in the 1990s and beyond. Throughout much of this period, the institutions of democracy were manipulated to give the illusion of democracy without real choice and without full authority to the population. This attitude among the political class must end, and the empowerment of the people and their involvement in ultimate decision making must continue. Many new and old politicians will be voted out by the people; and hopefully new choices and new movements will come to the fore. Concurrently, the democratic political system is always a work in progress. There are many reforms and institutions that still need to be instituted, and I will mention some of them in the points below.
4. one of the cornerstones of the Taif agreement is achieving true national reconciliation. This should be achieved by ending the exile and imprisonment of prominent leaders and building a truly inclusive political system. Progress should also be made on completing the return of displaced people to their towns and villages, which is still not complete 15 years after the end of the war. It should also include a national program of national dialogue and reconciliation to make sure that the fears and hostilities of one generation are not handed down to the next. It is significant that this month was the only time that an organized remembrance and rejection of the war was organized on a national scale. We must also beware that a return and reconciliation among the political leaders of the

war does not lead to a rebuilding of the war elite; the Taif settlement did include a general amnesty for all war crimes, but there has been no Truth and Reconciliation Commission in postwar Lebanon, nor has anyone taken any responsibility for the crimes and destruction perpetrated during the war. While the Lebanese do not want any community or leadership to be treated unfairly, they do not want to return to the political systems of the past, but they want to move beyond the war and build new leaderships and new visions.

5. The withdrawal of Syrian forces completes part of the Taif agreement, but that section must be completed by focusing on and ensuring truly good and special relations between Lebanon and Syria in the coming months and years, based on mutual respect and sovereignty, but also based on a sincere belief in significant common interests at the strategic and economic levels. Any remaining Lebanese prisoners in Syrian jails should be released immediately. This should be followed by vigorous efforts to rebuild relations between the Lebanese and Syrian people and to overcome the tensions and misunderstandings of the past months and years.
6. This must be balanced with rebuilding strong relations with our other Arab friends as well as with the West and the international community as a whole. Lebanon is a founding member of both the Arab league and the United Nations. We have special relations with Syria, and excellent relations with the Arab world and the West. We should not be dragged into other people's global conflicts.
7. With regard to Israel, we have largely completed the liberation of the South, as stipulated in the Taif Agreement. We will not pursue or sign any separate security or peace agreement with Israel; indeed, most Lebanese agree that Lebanon should be among the last Arab countries to do so, and should only do so if and when Syria is ready to do so. The Shebaa Farms issue is a serious one, but Lebanon has always operated within the framework of international legality. If we can present a full legal case, with written Syrian acceptance, to the United Nations and regain international acceptance for the Lebanese-ness of the Shebaa Farms then it can become again a potent international claim for us. However, we should not let the Shebaa Farms dispute dictate our security situation. With regard to Lebanese captives in Israeli jails they should remain high on our agenda of international claims in the UN and with other international mediators and we should work vigorously for their release.
8. Within the Taif context as well we should open a Lebanese dialogue with Hizbullah regarding its political and resistance role in the future. Hizbullah is one of the principal political parties in Lebanon and has a permanent and central role in the future of the Lebanese democracy. Also, Hizbullah is a main deterrent against Israeli aggression, but at the same time it cannot remain indefinitely outside the purview of the Taif Agreement regarding the disarming of all non-state organizations. There are many ways to do this in a cooperative and productive way by restructuring Hizbullah's military forces into a new relationship with the Lebanese state and the Lebanese armed forces. This must take place simultaneously with serious progress in disarming the Palestinian organizations in Lebanon which are also mentioned in Taif. Progress can be achieved peacefully on this front after the withdrawal of Syrian forces and in cooperation with the new Palestinian leadership that has expressed great openness in this regard.
9. Among the institutional reforms mandated by the Taif agreement, many have yet to be implemented. The election law is the most important law in any democracy as it is the

vehicle for vesting popular authority in an elected assembly and gives legitimacy and legal authority to the entire state. We have used a different election law for each election since the end of the war, and none has been in accordance with the Taif agreement. Taif speaks of elections based on the muhafaza and after the redrawing of the administrative map. Some redrawing of the map has occurred in the last few years but in a haphazard and unplanned way; also many discussions have taken place with regard to election laws in Lebanon. This redrawing and discussion must be resolved once and for all and election laws should be fixed and not changed from election to election. In addition we should prepare for the setting up of a National Electoral Commission that manages and supervise elections, like in most democracies today, and end the old practice of having the elections managed by the Ministry of. Of course, after the heroic national role played by the nation's youth in the past weeks, the political class should be shamed into finally lowering the voting age to eighteen.

10. A new election law should be accompanied by a new law and policy regarding political parties. There can be no meaningful and functioning democracy without democratic and national political parties. Elections without parties renders elections largely devoid of real political meaning, and renders them a personal contest among local leaders rather than a referendum on national political will. This policy should favor the development of internally democratic national non-confessional or multi-confessional parties and discourage the dominance of regional or mono-confessional parties. This can be done in many ways through political party law and through an appropriate election law that also encourages the same. We cannot let party politics in Lebanon remain confessional, nor can we afford not to develop a modern democratic and national political party system in order to give meaning to national political life, to create meaningful political links between the will of the people and the political outcomes of elections, and to bring in new generations to national political life away from confessional politics or traditional family and *zaim* politics.
11. New laws for elections and political parties would form an important element of a broader necessity required by Taif, that of moving beyond political confessionalism. Organizing electoral and party politics along non-confessional lines would be an important first step in defusing political confessionalism. However, as stipulated by Taif, we must go ahead with preparations for establishing a Senate, which will preserve confessional balances and provide assurances on confessionally sensitive national issues, but liberate the lower house of Parliament from confessional constraints. All communities in Lebanon must move beyond their inherited fears regarding the discussion of non-confessional politics. The national committee mentioned in Taif to draw up a national plan for the step-by-step movement away from political confessionalism must be set up. Confessionalism is one of the main flaws of the Lebanese political system. It cannot be eliminated overnight, nor can it be treated lightly, as any mishandling of this sensitive area might lead to escalating tensions and unforeseen consequences. However, Lebanon is not stuck with political confessionalism forever. There is a way out. We must begin taking the first steps along that important path.
12. We have seen in recent weeks the price that we pay for a weak and ineffective judiciary. The judiciary is supposed to be, in the Lebanese constitution, and in any self-respecting democracy, a full third independent branch of government. This is not a luxury but a necessity. The entire principle of rule of law rests on the existence of a strong and

independent judiciary. A weak judiciary endangers basic rights and freedoms, it obstructs normal political life, it undermines the very ethos of a free and democratic society, and in addition it dangerously hampers economic growth as investors will not invest in a country where the quick and effective protection of the law does not exist. In a recent World Bank study, the Lebanese judicial system was ranked among the slowest and least effective in the entire Arab world. We cannot build a new Lebanon on this basis. We need a revolutionary approach to strengthening the judicial sector and rendering it powerful and independent. There can be no half measures here. The constitutional council must be truly a supreme court that protects the constitution; and judges at all levels must be truly given the support, protection and freedom to be the protectors of the law that they should be.

13. The legislative branch of government must also be reinforced and strengthened. In our Parliamentary system, the Chamber of Deputies is the main source of democratic authority in the state, and the main actor in electing a President, naming a Prime Minister, instating a Council of Ministers, passing legislation etc. Eighty years after its birth, and fifteen years after the end of the war, Parliament is still a crippled and weak institution. In most democracies, the Parliament is a major institution of state, with strong research and investigative capacities and a dominant position in the state. In Lebanon, it is nothing more than a large hall surrounded by a few secretarial offices and ringed by cafes and restaurants. Parliament is not just a place where deputies occasionally meet to vote; it should be, as it is in most democracies, a strong and separate branch of government able to guide public life and able to counterbalance the power of the executive branch.
14. the executive branch of government in post war Lebanon has been the most confused. Power has been contested between the office of the Prime Minister, the Council of Ministers itself, the office of the President, the Troika, and, of course, Damascus. The result was a large mess during the past fifteen years in which decision making was a slow and contradictory process and in which authority and responsibility was hard to pin down. The Taif agreement stipulated that executive authority would be vested in the Council of Ministers, as a collegial body. The council would be headed by the Prime Minister and he would set its agenda and be responsible for the general functioning of government, and the President could add items onto the council's agenda or could chair sessions when he wished. In effect, the Council of Ministers as a collegial body was never developed as a power or authority. It remains just a room, like the Chamber of Deputies, where ministers meet, but it has no autonomous institutional and administrative capacity. The President, in recent years, has overstepped Taif and tried to play the role of co-Prime Minister; while the Prime Minister, in most of the post-war years, has failed to encourage the authority of the Council of Ministers as a collegial institutional authority, and has sought only to strengthen the office of the Prime Minister. The Council of Ministers, as an institution, must be strengthened; the president must restrict himself to his constitutional role, and the Prime Minister should find a balance between allowing the Council of Ministers to develop as a collegial body and his leadership role over that body. We must either implement the letter and spirit of the Taif agreement in this regard, or eventually revise the agreement to have either a clearly Prime Ministerial system, or a Presidential system, or some third alternative, like a collegial presidency, or the like.
15. Decentralization is not an unimportant administrative detail but one of the main building blocs of balanced and rural development and an essential element of the pyramid of

democratic participation from the village and neighborhood level all the way to the national level. It is no secret that most postwar governments had no real understanding, appreciation or interest in decentralization. Most national politicians and officials did not want to share power nor resources with any other officials, especially elected officials in towns and regions that could challenge their monopoly of politics and resources. It took a national civil society initiative to get the government to hold local elections in 1998, and local municipalities have struggled through the last years begging for money that is theirs from the Ministry of Finance and the Ministry of Interior. The Taif agreement spoke clearly about the empowerment of local municipalities, the empowerment of local administrators (i.e. the *qaimmaqam* and *muhafiz*), and the establishment of elected *qada* councils to undertake development and administration at the regional level. True administrative decentralization is one of the keys to sustainable and balanced growth, especially for towns and regions not close to the capital. We must make quick and decisive progress in issuing a new decentralization law that revises and redraws the administrative map of Lebanon, empowers municipalities, and, perhaps most importantly, establishes elected *qada* councils with the administrative and financial resources and autonomy to undertake real development outside of Beirut and Mount Lebanon guided by the participation and choices of the local population, albeit within an overall national development plan.

16. The public administration must not be a place for political score-settling and electoral employment. Our dilapidated public administration is currently one of the main obstacles to economic development, while it should be the engine of change and reform if Lebanon ever hopes to compete with other countries in the region and the world. The reform of the public administration has to be approached in a radical way. At the moment, it is dominated by politicians who treat government ministries as institutions to plunder for money and services in order to enrich themselves or their cronies and to build their electoral base. The statements from potential ministers in recent weeks that they wanted ministries with ample resources that they could use in the upcoming elections have been shocking and should have led to legal prosecution or investigation at the least. We must undertake a high priority review of the entire public sector with an eye to dramatic restructuring and reform. The autonomy of the civil service must be rebuilt from the ground up, like we rebuilt the army. It should have a similar esprit de corps and internal rules of conduct. The central agencies like the Civil Service Board, the Central Inspection Commission, and the Bureau of Accounts, etc., should be rebuilt to the strength and authority that they were supposed to have in the beginning. High civil servants should be chosen with the utmost care and then supported and empowered.
17. Corruption at all levels is one of the main scourges of post war Lebanon. Regardless of the reasons, corruption at such high levels cannot be tolerated neither from the political and moral perspective, neither, more importantly, from the social and economic perspective. Corruption leads to the crippling of proper decision making and policy formulation, and it leads to the wasting or diversion of hundreds of millions of dollars away from the public interest and into private hands. Lebanon cannot coexist with massive and widespread corruption. It will lead to the further political disintegration of the political system and to continued economic crises and uneven distribution of wealth. It also skews the value system in both the public and private sectors and affects the behavior and expectation of new generations. What we must aim for is a serious national

campaign, comparable to the national campaign for sovereignty, to fight corruption at every level and to find solutions to the administrative and legal loopholes that allow such widespread corruption to flourish.

18. In economic policy, the main objective must be to revive economic growth with the aim of creating sufficient jobs and opportunities to stem the brain drain and keep our young people from being forced to leave the country. Of course, the first conditions for economic growth include stability, sovereignty, rule of law, a good judicial sector and a better decision making and administrative system, as mentioned above. More specifically, however, Lebanon must return to the broken promises of Paris II and examine what still can be salvaged from that historic agreement, and how we must adjust our economic and fiscal planning in order to put the economic train on track again and to begin to regain the confidence of Arab and international investors. There were encouraging economic signs in 2003 and 2004 of a return to significant growth, and Lebanon certainly has the potential to achieve high levels of growth and begin competing gradually with such booming economic hubs as Dubai and Qatar and elsewhere. This will rely on bringing in a capable political and economic leadership to the country, creating the environment to encourage business and investment, and eliminating or radically reducing unnecessary obstacles to investment and the hurdles of corruption and delays. It is important for Lebanon to pursue its adherence to regional and international trading agreements such as the European Partnership Agreement, the Arab Free Trade Zone and the World Trade Organization. However, economic policy should also be concerned about helping Lebanon's various sectors avoid the pitfalls of further global integration and take advantage of the opportunities. Fiscal policy should continue to focus on reducing the state's budget deficits, reducing the growth of the overall debt, and keeping public sector costs low. The tax burden is already high on the public, although more progress should be made on income tax administration in order to ensure that higher income groups, that are often able to hide their income, pay their fair share of the tax burden, commensurate with their real income.
19. On the socio economic level, public education and public health are the two main sectors that saw insufficient improvement in the post war years, despite some progress. Lebanon is the country that developed and disseminated the alphabet, and education is its main national resource. There is no excuse for the dilapidated state of much of Lebanon's public school system; more importantly, the condition of the Lebanese university is almost at the level of a national crime. While private medicine flourishes in Lebanon, the public health system has failed in the postwar period. The ministry of health has been used as a place to be plundered by the political class with billions of dollars going to provide costly coverage in private hospitals. Lebanon still does not have a minimal network of public clinics and hospitals; significantly, it is behind Syria and most other Arab countries in this regard. While the passage of the old age pension plan in the past year is a welcome addition to the social security network, the general condition of the National Social Security Fund, especially given the pressures on the national currency, is a matter of great concern. Social development is a national necessity. We all have to develop and benefit together, all classes and all income groups. Lebanon must develop together, or it will fall into renewed division.
20. The main national resource that we might lose forever and that we cannot renew is our environment. Taken lightly by most postwar governments, the environmental issue is

fundamental to the future of the country and its people. Although we don't have the oil resources of some of our Arab competitors, we have a more valuable and sustainable environmental resource. It is a main source of attraction for investment as well as tourism, and it is the environment in which we and our children live. The feeble decision to set up a small Ministry of the Environment without significant authority or resources and under direct political control, has not been and will never be a solution. What we need, in addition to much more public and political awareness of the importance of this issue, is the establishment of an Environmental Protection Agency, similar in autonomy and authority to the Central Bank, with the mission of protecting and enriching our national environment, like the Central Bank is tasked with protecting our monetary and gold resources. Without serious environmental policy and protection, the degradation of our natural heritage will continue and will move toward increased desertification, concretization, pollution, and resource crisis. Man is the child of his environment; if we ruin our environment, we are ruining the very possibility of a better future.

The current crisis in which we are living is full of risks and possibilities. It puts Lebanon at an important crossroads. We can think about and plan for our future, or we can stumble into it, divided and blind, as we are largely doing now. I believe that, as we have done several times in the past, we can and should step back from our immediate disagreements and look at the broader picture of Lebanon's future. I have tried in these ideas and proposals presented above, to underline a number of the key issues that I think should form the basis of a renewed national dialogue and the building a profound national consensus. Unity is built by joint action; and joint action is built on a common vision and a common agenda. The time to think is now, as the opportunity to effect fundamental change is fast approaching.